

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Kreutzer et al.

Appln. No.: 09

810,521

Series Code ↑

Serial No. ↑

Filed: March 19, 2001

Hon. Commissioner of Patents  
Washington, D.C. 20231

Group Art

1652

Examiner:

Steadman, D.

Atty. Dkt.

P

0287416

980183 BT-US-B

M#

Client Ref

Appln. Title:

L-LYSINE-PRODUCING  
CORYNEBACTERIA AND PROCESS  
FOR THE PREPARATION OF LYSINE

Sir:

## REPLY/AMENDMENT/LETTER

Date: March 19, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm				
2. Total Effective Claims		11	**minus	20	0	x \$18/\$9 =	+ \$0	103/203					
3. Independent Claims		5	***minus	11	0	x \$84/\$42 =	+ \$0	102/202					
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add						+ \$280/\$140 =	+ \$0	104/204					
5. Original due Date: February 19, 2003		<input type="checkbox"/> NONE											
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =	(2 mos)	\$410/\$205 =	(3 mos)	\$930/\$465 =	(4 mos)	\$1,450/\$725 =	(5 mos)	\$1,970/\$985 =	+ \$110	115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract						- \$0							
8.						Extension Fee	+ \$110						
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....						+ \$110/\$55	+ \$0	148/248					
10. If IDS attached requires Official Fee under Rule 97 (c), .....						+ \$180	+ \$0	126					
or if Rule 97(d) Request .....						+ \$180	+ \$0	126					
11. After-Final Request Fee per rules 129(a) and 17(r) .....						+ \$750/370	+ \$0	146/246					
12. No. of additional inventions for examination per Rule 129(b).....						x \$750/375 ea	+ \$0	149/249					
13. Request for Continued Examination (RCE) .....						+ \$750/375	+ \$0	1179/1279					
14. Petition fee for .....							+ \$0						
15.						TOTAL FEE =	\$110						
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".													
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.													
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.													
						PLEASE CHARGE OUR DEP. ACCT							

03/21/2003 AWONDAF1 00000126 033975 09810521

01 FC:1251 110.00 CH

Our Deposit Account No. 03-3975)

(Our Order No. 021123 0287416

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



Reply pursuant to 37 C.F.R. § 1.116  
Expedited Procedure  
Group Art Unit 1652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF  
KREUTZER et al.

Group Art Unit: 1652

Examiner: D. STEADMAN, Ph.D.

Appln. No.: 09/810,521

Filed: March 19, 2001

Title: L-LYSINE-PRODUCING CORYNEBACTERIA AND PROCESS FOR THE  
PREPARATION OF LYSINE

March 19, 2003

\* \* \* \* \*

AMENDMENT PURSUANT TO 37 C.F.R. § 1.116

RECEIVED

MAR 21 2003

TECH CENTER 1600/2900

Hon. Commissioner of Patents  
Box AF  
Washington, D.C. 20231

Sir:

This is in response to the final official action dated November 19, 2002, wherein the claims were objected to and were variously rejected under 35 U.S.C. §112, first and second paragraphs, and 35 U.S.C. §103(a). The applicants respectfully traverse the present rejections of the claims in view of the following amendment and remarks.

**I. AMENDMENT**

Please amend the application as follows.

**IN THE CLAIMS**

*Please amend claims 1, 3, 22, 23, and 28-32 as follows.*

C<sup>1</sup>

1. (Twice Amended) L-Lysine-producing bacteria of the species *Corynebacterium glutamicum* comprising an overexpressed wild type *pyc* gene of *Corynebacterium glutamicum* encoding pyruvate carboxylase and an overexpressed wild type *dapA* gene of *Corynebacterium glutamicum* encoding dihydrodipicolinate synthase, wherein overexpression of said *pyc* gene is achieved by increasing the copy number of said *pyc* gene wherein overexpression of said *dapA* gene is achieved by using a *dapA* promotor selected from the group consisting of: the *dapA* promotor comprising the MC20 mutation as set forth